

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

V

ALTON RAY FINDLEY,

Defendant-Appellant.

UNPUBLISHED
February 22, 2005

No. 251323
Genesee Circuit Court
LC No. 02-010106-FH

Before: Fort Hood, P.J. and Griffin and Donofrio, JJ.

MEMORANDUM.

Defendant pleaded guilty to two counts of fourth-degree criminal sexual conduct (CSC IV), MCL 750.520e, and was sentenced to concurrent terms of sixteen to twenty-four months' imprisonment. The case is before us on remand from the Supreme Court for consideration as on leave granted. We dismiss the appeal as moot. This case is being decided without oral argument pursuant to MCR 7.214(E).

The sole issue presented in defendant's appeal is a challenge to the lengths of his sentences. The issue is moot because defendant has completed his sentences and has been discharged from the custody of the Department of Corrections. See *In re Contempt of Dudzinski*, 257 Mich App 96, 112; 667 NW2d 68 (2003); *People v Rutherford*, 208 Mich App 198, 204; 526 NW2d 620 (1994).

This appeal is dismissed as moot.

/s/ Karen M. Fort Hood
/s/ Richard Allen Griffin
/s/ Pat M. Donofrio